

SENATE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-SEVENTH LEGISLATURE

SEVENTY-THIRD LEGISLATIVE DAY
WEDNESDAY, MARCH 19, 2003

Senate Chamber

President Risch called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Brandt and Davis, absent and formally excused by the Chair; and Senators Burkett, Stennett, and Sweet, absent and excused.

Prayer was offered by Chaplain Gene Arnold.

The Pledge of Allegiance was led by Jovani Bigelow, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 17, 2003, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senator Stennett was recorded present at this order of business.

SCR 114

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
AUTHORIZING THE LEGISLATIVE COUNCIL TO
APPOINT A COMMITTEE TO UNDERTAKE AND
COMPLETE A STUDY OF ECONOMIC DEVELOPMENT
INCENTIVES IN IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the economic well-being of the state of Idaho and its communities depends on the belief of its citizens that their state and community are places where families can live in safety and security, where quality health care is readily available, where the educational system meets the needs of learners of all ages, where government services are provided in an efficient and effective manner, where opportunities for business and commercial growth are encouraged and supported and where the state's natural heritage and quality of life are protected and enjoyed; and

WHEREAS, rapid technological advances have significantly altered society and have dramatically changed business practices, methods of communication, and lifestyles in just the last decade; and

WHEREAS, as technology continues to affect Idaho businesses' ability to successfully compete with global competitors, governments are naturally affected and must keep up with the so-called "New Economy" revolution that will notably transform the lives of citizens and the nature of commerce; and

WHEREAS, citizens of the state of Idaho, both urban and rural, local governments, and state government can benefit through expansion of existing businesses, growth of new businesses, and location of businesses coming to Idaho; and

WHEREAS, the ability of Idaho communities to successfully compete for business relocation and expansion is often largely dependent on the ability to offer appropriate, competitive incentives; and

WHEREAS, it is the intent of the Legislature to assist the communities of this state in meeting the economic challenges that have arisen and will continue to arise as new technologies continue to severely impact the ability to compete in a global marketplace; and

WHEREAS, there is a need to review and examine policies and make specific legislative proposals to ensure that Idaho companies will continue to grow and prosper while providing economic benefits to Idaho's citizens, government and businesses.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of economic development incentives. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall make a progress report to the Second Regular Session of the Fifty-seventh Idaho Legislature and shall report its findings, recommendations and proposed legislation, if any, to the First Regular Session of the Fifty-eighth Idaho Legislature.

SCR 115
BY STATE AFFAIRS COMMITTEE
A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND AUTHORIZING THE LEGISLATIVE COUNCIL TO APPOINT A COMMITTEE TO UNDERTAKE AND COMPLETE A STUDY OF THE STATUTES GOVERNING CHARTER SCHOOLS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in 1998, the Idaho Legislature authorized that charter schools could be organized and operated under the law of Idaho; and

WHEREAS, it was recognized at the time that the concept of charter schools would be experimental in nature, and the Legislature anticipated continuing oversight of the charter school provisions; and

WHEREAS, in the intervening years since the original enactment, several changes have been made in laws governing charter schools; and

WHEREAS, during the First Regular Session of the Fifty-seventh Idaho Legislature, additional requests have come forth to further clarify, monitor and circumscribe provisions governing creation, management and operation of charter schools; and

WHEREAS, it is incumbent upon the Legislature to assure that educational institutions operate in the best interests of the children of the state of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-seventh Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislative Council is authorized to appoint a committee to undertake and complete a study of the statutes governing charter schools in Idaho. The Legislative Council shall determine the number of legislators and membership from each house appointed to the committee and shall authorize the committee to receive input, advice and assistance from interested and affected parties who are not members of the Legislature.

BE IT FURTHER RESOLVED that nonlegislative members of the committee may be appointed by the cochairs of the committee who are appointed by the Legislative Council. Nonlegislative members of the advisory committee shall not be reimbursed from legislative funds for per diem, mileage or other expenses and shall not have voting privileges regarding the committee's recommendations or proposed legislation.

BE IT FURTHER RESOLVED that the committee shall report its findings, recommendations and proposed legislation, if any, to the Second Regular Session of the Fifty-seventh Idaho Legislature.

SCR 114 and **SCR 115** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Burkett and Sweet were recorded present at this order of business.

March 19, 2003

The JUDICIARY AND RULES Committee reports that **S 1167** has been correctly printed.

DARRINGTON, Chairman

S 1167 was referred to the State Affairs Committee.

March 17, 2003

The JUDICIARY AND RULES Committee reports that **S 1061**, **S 1067**, **S 1068**, and **S 1078** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1061**, **S 1067**, **S 1068**, and **S 1078** and ordered them transmitted to the House for the signature of the Speaker.

March 17, 2003

The JUDICIARY AND RULES Committee reports that **S 1136**, as amended, has been correctly engrossed.

DARRINGTON, Chairman

S 1136, as amended, was filed for first reading.

March 17, 2003

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 174**, as amended, **S 1136**, and **H 110**, as amended, have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 17, 2003

The JUDICIARY AND RULES Committee reports that Enrolled **S 1004**, **S 1005**, **S 1006**, **S 1007**, **S 1008**, **S 1019**, **S 1041**, and **S 1056** were delivered to the Office of the Governor at 2 p.m., March 17, 2003.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 19, 2003

The FINANCE Committee reports out **H 360** with the recommendation that it do pass.

CAMERON, Chairman

H 360 was filed for second reading.

March 17, 2003

The JUDICIARY AND RULES Committee reports out **H 123** with the recommendation that it do pass.

DARRINGTON, Chairman

H 123 was filed for second reading.

March 17, 2003

The STATE AFFAIRS Committee reports out **S 1164**, **H 305**, **H 312**, and **H 314** with the recommendation that they do pass.

SORENSEN, Chairman

S 1164, **H 305**, **H 312**, and **H 314** were filed for second reading.

March 17, 2003

The RESOURCES AND ENVIRONMENT Committee reports out **H 4** and **H 295** with the recommendation that they do pass.

NOH, Chairman

H 4 and **H 295** were filed for second reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 17, 2003

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Anna Wilson of Wallace, Idaho, to be Acting State Senator for Legislative District 2. This appointment will be effective March 20, 2003, and continue until such time as Senator Marti Calabretta is able to resume her duties.

Sincerely,
/s/ Dirk Kempthorne
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that pursuant to the provisions of Section 59-917, *Idaho Code*, Marti Calabretta, State Senator, District 2, Benewah, Bonner, Kootenai, and Shoshone Counties, State of Idaho, has nominated Anna Wilson of Wallace, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 2, Benewah, Bonner, Kootenai, and Shoshone Counties.

NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Anna Wilson, Wallace, Idaho, to the office of State Senator, District 2, State of Idaho, for a term commencing on March 20, 2003, and continuing until such time as Senator Calabretta is able to resume her duties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this seventeenth day of March, in the year of our Lord Two thousand and three and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ BY THE GOVERNOR DIRK KEMPTHORNE
/s/ SECRETARY OF STATE BEN YSURSA

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

March 17, 2003

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1056

Sincerely,
/s/ Dirk Kempthorne
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 17, 2003

Mr. President:

I transmit herewith **H 319**, **H 331**, **H 326**, **H 322**, **H 333**, **H 327**, **H 347**, **H 348**, **H 349**, **H 350**, **H 351**, **H 352**, **H 353**, **H 354**, **H 355**, **H 361**, **H 339**, **H 357**, **H 358**, and **H 317**, and I return herewith **S 1099**, **S 1100**, **S 1101**, **S 1085**, **S 1096**, **S 1140**, **S 1141**, **S 1142**, **S 1144**, **S 1145**, **S 1146**, **S 1147**, **S 1043**, **S 1064**, **S 1074**, **S 1060**, as amended, and **SCR 106**, which have passed the House.

JUKER, Chief Clerk

H 319, **H 331**, **H 326**, **H 322**, **H 333**, **H 327**, **H 347**, **H 348**, **H 349**, **H 350**, **H 351**, **H 352**, **H 353**, **H 354**, **H 355**, **H 361**, **H 339**, **H 357**, **H 358**, and **H 317** were filed for first reading.

S 1099, S 1100, S 1101, S 1085, S 1096, S 1140, S 1141, S 1142, S 1144, S 1145, S 1146, S 1147, S 1043, S 1064, S 1074, S 1060, as amended, and **SCR 106** were referred to the Judiciary and Rules Committee for enrolling.

March 17, 2003

Mr. President:

I transmit herewith Enrolled **H 229, H 231, and H 92** for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **H 229, H 231, and H 92** and ordered them returned to the House.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1168
BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES WITHIN THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR FISCAL YEAR 2004; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**S 1169
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5204, IDAHO CODE, TO SPECIFY PROVISIONS FOR GOVERNANCE, TO REQUIRE CERTAIN MEMBERSHIP OF THE GOVERNING BOARD OF A CHARTER SCHOOL AND TO PROVIDE THAT A CHARTER SCHOOL SHALL BE SUBJECT TO SCHOOL DISTRICT ELECTION LAWS WITH EXCEPTIONS; AMENDING SECTION 33-5205, IDAHO CODE, TO FURTHER GOVERN THE BYLAWS, ARTICLES OF INCORPORATION AND GOVERNANCE STRUCTURE OF A CHARTER SCHOOL AND TO PROVIDE A METHOD FOR SELECTION OF ENROLLMENT; AMENDING SECTION 33-5209, IDAHO CODE, TO AUTHORIZE THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT TO PLACE ON PROBATION A CHARTER SCHOOL AND SPECIFY CONDITIONS TO GOVERN A REVOKED OR PLACED ON PROBATION CHARTER SCHOOL; TO PROVIDE PROSPECTIVE APPLICATION AND DECLARING AN EMERGENCY.

**S 1170
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE IDAHO DIGITAL LEARNING ACADEMY; AMENDING SECTION 33-5504, IDAHO CODE, TO DIRECT THE BOARD OF DIRECTORS OF THE ACADEMY TO SET FEES CHARGED TO SCHOOL

DISTRICTS FOR STUDENT PARTICIPATION, FEES CHARGED FOR SUMMER SCHOOL AND FEES CHARGED TO STUDENTS AND ADULTS FOR PROFESSIONAL DEVELOPMENT OFFERINGS; AMENDING SECTION 33-5505, IDAHO CODE, TO CLARIFY THERE SHALL BE NO CHARGE TO STUDENTS UNLESS THE STUDENT ENROLLS IN ADDITIONAL COURSES BEYOND FULL-TIME ENROLLMENT, TO PROVIDE THERE WILL BE A COST TO SCHOOL DISTRICTS AND TO PROVIDE THAT CERTAIN FUNDS SHALL BE INCLUDED IN THE BUDGET AND AUDIT OF ACADEMY FISCAL RECORDS; AND AMENDING SECTION 33-5508, IDAHO CODE, TO CLARIFY USE OF STATE FUNDS AND TO PROVIDE FOR ADDITIONAL FUNDING THROUGH FEES CHARGED TO SCHOOL DISTRICTS FOR STUDENT PARTICIPATION AND FEES CHARGED FOR SUMMER SCHOOL AND PROFESSIONAL DEVELOPMENT OFFERINGS.

S 1168, S 1169, and S 1170 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 174, as amended, as amended in the Senate, by Resources and Conservation Committee, was read the first time at length and filed for second reading.

H 110, as amended, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

S 1136, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

H 319 and H 326, by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

H 331, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 322, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 333, by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 327, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 347, H 348, H 349, H 350, H 351, H 352, H 353, H 354, H 355, and H 361, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 339, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 357 and **H 358**, by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

H 317, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 203, **H 213**, **H 237**, and **H 238**, as amended, by Health and Welfare Committee, were read the second time at length and filed for third reading.

H 125, as amended, and **H 211**, as amended, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

S 1166, by Finance Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

H 328, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Marley arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 31.

NAYS--Schroeder. Total - 1.

Absent and excused--Brandt, Davis, Ingram. Total - 3.

Total - 35.

Whereupon the President declared **H 328** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 206**, as amended, having been held, retained its place on the Third Reading Calendar for one legislative day.

H 332 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bailey, Bunderson, Burtenshaw, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Keough, Little, Lodge, McKenzie, Noble, Pearce, Richardson, Sorensen, Stegner, Sweet, Williams. Total - 22.

NAYS--Andreason, Burkett, Calabretta, Kennedy, Malepeai, Marley, McWilliams, Noh, Schroeder, Stennett, Werk. Total - 11.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 332** passed, title was approved, and the bill ordered returned to the House.

The President called President Pro Tempore Geddes to the Chair.

H 340 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Cameron, Compton, Darrington, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Sorensen, Stegner, Sweet, Werk, Williams. Total - 26.

NAYS--Burkett, Calabretta, Malepeai, Marley, Schroeder, Stennett. Total - 6.

Absent and excused--Brandt, Davis, Gammon. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 340** passed, title was approved, and the bill ordered returned to the House.

H 341 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Keough, Little, Lodge, McKenzie, McWilliams, Noble, Noh, Pearce, Sorensen, Sweet. Total - 21.

NAYS--Burkett, Calabretta, Ingram, Kennedy, Malepeai, Marley, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 12.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 341** passed, title was approved, and the bill ordered returned to the House.

H 342 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Cameron, Compton, Darrington, Gannon, Goedde, Hill, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noh, Pearce, Sorensen, Stegner, Stennett, Sweet, Werk. Total - 26.

NAYS--Calabretta, Geddes, Ingram, Noble, Richardson, Schroeder, Williams. Total - 7.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 342** passed, title was approved, and the bill ordered returned to the House.

H 343 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Keough, Little, Lodge, Malepeai, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Williams. Total - 28.

NAYS--Calabretta, Ingram, Kennedy, Marley, Werk. Total - 5.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 343** passed, title was approved, and the bill ordered returned to the House.

H 344 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burtenshaw arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bailey, Bunderson, Burtenshaw, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram,

Keough, Little, Lodge, McKenzie, Noble, Pearce, Richardson, Sorensen, Sweet, Williams. Total - 21.

NAYS--Andreason, Burkett, Calabretta, Kennedy, Malepeai, Marley, McWilliams, Noh, Schroeder, Stegner, Stennett, Werk. Total - 12.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 344** passed, title was approved, and the bill ordered returned to the House.

H 345 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Marley arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--None.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 345** passed, title was approved, and the bill ordered returned to the House.

H 12 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bailey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Sorensen, Stegner, Sweet, Werk, Williams. Total - 31.

NAYS--Schroeder. Total - 1.

Absent and excused--Brandt, Davis, Stennett. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **H 12** passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

H 26 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ingram arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--None.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 26** passed, title was approved, and the bill ordered returned to the House.

H 303 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Little arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noh, Schroeder, Sorensen, Stegner, Stennett, Werk, Williams. Total - 29.

NAYS--Noble, Pearce, Richardson, Sweet. Total - 4.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 303** passed, title was approved, and the bill ordered returned to the House.

H 307 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Gannon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--None.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 307** passed, title was approved, and the bill ordered returned to the House.

H 308 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kennedy arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--None.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 308** passed, title was approved, and the bill ordered returned to the House.

H 309 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Noble arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--None.

Absent and excused--Brandt, Davis. Total - 2.

Total - 35.

Whereupon the President declared **H 309** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Stegner, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:50 a.m. until the hour of 10 a.m., Thursday, March 20, 2003.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary